

FILED
UNITED STATES DISTRICT COURT CLERKS OFFICE
FOR THE
DISTRICT OF MASSACHUSETTS 2005 FEB -4 A 10:47

ANTHONY P. SCAPICCHIO
Plaintiff

v.

MOUNT AUBURN PROFESSIONAL
SERVICES, MOUNT AUBURN HOSPITAL,
as administrator of the Mount Auburn Hospital
RetirementPlus 403(b) Plan, and THOMAS
FABIANO

Defendants

U.S. DISTRICT COURT
DISTRICT OF MASS.

CIVIL ACTION NO. 04-11573-RWZ

AFFIDAVIT OF NANCY STRYKER

I, Nancy Stryker, being duly sworn, hereby depose on oath as follows:

1. I was an employee in the Human Resources at Mount Auburn Hospital, 330 Mount Auburn Street, Cambridge, Massachusetts 02138, during 1995.
2. This affidavit is made on personal knowledge.
3. I am no longer employed by Mount Auburn Hospital.
4. I was not at any time part of Mount Auburn management.
5. I was not at any time a fiduciary either of the Long Term Disability Plan or the RetirementPlus 403(b) Plan.
6. I was also not Plan Administrator for either the RetirementPlus 403(b) Plan or the Long Term Disability Plan.
7. I did not at any time have authority to bind Mount Auburn Professional Services, Mount Auburn Hospital, the Long Term Disability Plan, or the RetirementPlus 403(b) Plan.
8. I did not make the statements attributed to me in paragraphs 20-24 of the Affidavit of Plaintiff Anthony P. Scapicchio, M.D. filed in this case.

This affidavit is made under the penalties of perjury this 3rd day of February, 2005.

Nancy Stryker
Nancy Stryker

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